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Eastern Challenges for Josep Borrell – and the EU

by Milan Nič and Cristina Gherasimov

As the European Union's next designated HR/VP, Josep Borrell will have to deal with major global challenges and the EU's internal travails to shape foreign policy more assertively. In particular, two flash points on the EU's doorstep – the eastern Ukraine and Serbia-Kosovo – will be early tests of Borrell's ability to enhance the Union's ability to project influence as a global power and help build its capacity for strategic autonomy.

If the European Parliament approves Josep Borrell as the next High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission (HR/VP), he will face an imposing list of tasks. Unlike other conflict situations in Eastern Europe, the eastern Ukraine and Serbia-Kosovo are likely to be on his agenda from his first week in office despite the fact that both were previously outside of his domain as Spanish foreign minister. True, the mission letter by Ursula von der Leyen, designated president of the European Commission, doesn't even mention either flash point. But, if not handled well, these two challenges will have far-reaching negative implications for the EU's "capacity to act autonomously and promote its values and interests around the world," to quote from that letter, which sets this objective among Borrell's main tasks.

Conflict in Eastern Ukraine: A New Momentum

Under former President Petro Poroshenko, relations between Ukraine and Russia were tense and a settlement on the Donbass was difficult to envision. Now, Ukraine's recently elected president, Volodymyr Zelensky, is creating new momentum by calling for the revival of peace talks with Putin's Russia and aiming to stop the war in the region by the end of his mandate. The current dynamics between Kyiv and Moscow present a

cautious window of opportunity for the HR/VP to act more assertively and help the EU contribute to a peaceful settlement of the conflict, which would consequently elevate the EU's role in addressing security challenges in its eastern neighborhood. Intensive diplomatic preparations are already underway for a new summit in the so-called Normandy format, which, in addition to Ukraine and Russia, also includes Germany and France, and uses the 2015 Minsk Agreements as a basis for settling the conflict. Initial breakthroughs in the peace talks might even be achieved before Borrell moves into his new position in Brussels.

This conflict and its new dynamics present a particular challenge for Borrell. So far, the EU and its HR/VP have not been included in the Normandy format. Unlike their active role in recent talks over the nuclear deal with Iran, the EU's foreign ministers – including Borrell as Spanish foreign minister – have supported Germany and France in their negotiations on Ukraine indirectly, relying on their diplomacy to be on board.

Still, this current constellation can be an opportunity for a fresh start if Borrell considers the following. First of all, he should not ask to re-open the Normandy format. Any alteration risks further alienation of the conflicting parties and opens doors to competing demands. Kyiv, for

instance, prefers to have the United States included in the format, while Moscow has floated the idea of inviting China to join if it is extended. Secondly, the next HR/VP will have to deal with the consequences of recent maneuvers towards Russia by French President Emmanuel Macron who is striving to “bring Russia back in” closer to Europe as a response to increased global geopolitical competition.

Moreover, in order to live up to what his mission letter promises, Borrell should provide a longer-term strategic approach and conduct a thorough reassessment of the EU’s division of labor ahead of the anticipated conflict resolution in the Donbass. While Laszlo Trocsanyi, as the designated new commissioner for enlargement and neighborhood policy, will be in charge of Ukraine, including funding, he is, in theory, expected to “work under the guidance of the high representative/vice-president,” as specified in the aforementioned mission letter. In practice, however, it will be challenging for the next HR/VP to establish guidance over the European Commission’s work in eastern Ukraine, as well as in the Western Balkans. Much depends on how much backing Borrell can win from von der Leyen and the EU capitals for a larger role for the European External Action Service (EEAS) in this regard.

EU’s Russia Portfolio: Developing the HR/VP’s Role

If there is progress toward a peace settlement in eastern Ukraine, then, by default, the future of EU sanctions on Russia will be on the table – an explosive, divisive issue among the EU-28 that the next HR/VP will have to deal with. This also opens up a more systemic problem: the lack of a common approach among the EU capitals towards Russia.

The annexation of Crimea and the war in eastern Ukraine in 2014 has led to a deep political crisis between Russia and the West. While the EU and its member states reconsidered relations with Russia in 2016 by putting forward the “Mogherini principles” to guide EU-Russia relations, these principles cannot replace a well-coordinated policy. Because the EU lacks a comprehensive, assertive stance on Russia, the Kremlin’s hawkish intrusiveness has further corroded the domestic politics of individual EU member states. Further tensions have emerged around Russia’s financial support of populist and anti-European parties in EU member states, as well as its active interference in some national elections. The EU’s weak compromise-based approach has created a vacuum

that each member state fills as it sees fit – a perfect recipe for Russia’s further pursuit of its *divide et impera* principle.

If the present level of EU unity on Russian sanctions also starts to crumble, it will be an uphill battle for Borrell to coordinate policy. The HR/VP is in a unique position because he participates in European Council meetings, where the topic of Russian sanctions are regularly raised every six months. Both German Chancellor Angela Merkel and French President Macron always report to the European Council on the current state of play. So, if Borrell wants to make sure that he has full EU backing on Russia and Ukraine, he should raise related issues in these meetings, making clear what he intends to do and expressly asking for political support. As a veteran Spanish socialist with a more assertive approach to Russia’s portfolio, Borrell could guide a new process of building consensus and coordinating the EU’s future Russia policy based on the principle of Europe’s strategic autonomy.

Serbia-Kosovo: Restarting Dialogue, Improving Implementation

Borrell’s credentials for shaping policy are much stronger on Serbia-Kosovo, where he has a direct mandate to act on behalf of the entire EU-28, as well as to coordinate with the United States and other powers.

However, the EU-facilitated dialogue between the long-term Balkan adversaries that started in 2011 under HR/VP Catherine Ashton has – under her successor and Borrell’s predecessor Federica Mogherini – recently reached a dead-end. An early challenge for Borrell will be to present a credible plan on how to overcome this current stagnation and get Serbia and its former province back on track toward a legally binding agreement that fully normalizes their relations.

In mid-2018, Serbian and Kosovar Presidents Aleksandar Vucic and Hashim Thaci tried to overcome the impasse through secret negotiations on a deal that would have included exchange of territories and Belgrade’s recognition of Kosovo as a state. These negotiations were held with HR/VP Mogherini’s encouragement but little transparency. The proposed “land swap” – northern Kosovo, which is controlled by ethnic Serbs, in exchange for southern Serbia’s Presevo Valley, which is populated mostly by ethnic Albanians – wound up producing more tensions and divisions within the Balkans, in Kosovo, and among EU members. These escalating tensions prompted German Chancellor Merkel to call an improvised Balkan summit in Berlin last April, which was co-hosted with French President Macron. While the summit did not reach its objective of restarting the Serbia-Kosovo dialogue, it at least helped calm the situ-

ation. An important development since then has been the resignation of Kosovar Prime Minister Ramush Haradinaj, who had imposed tariffs on goods from Serbia and, in doing so, had made further talks impossible. Kosovo is now facing snap elections on October 6, 2019. A follow-up Balkan summit in Paris was cancelled until further notice.

As a first step after the hearing of the European Parliament to confirm him, Josep Borrell should send a clear signal to Germany, France, and other key actors that he will prioritize Serbia-Kosovo and make future talks more transparent. He should also expand and strengthen the small EEAS team in charge. Furthermore, as a Catalan-born politician who is against the independence of his own region, Borrell will need to send an early signal that he can move beyond his personal identity to strengthen European perspectives on Kosovo, which Spain does not recognize as a state – one of only five EU member states that do not.

Secondly, Borrell might have time on his side on this issue. The most opportune window for restarting talks might not come before early 2020, once a new Kosovar government is formed and it can negotiate a common platform with President Thaci. (After the last elections, it took Kosovo three months to form a government.) An unfolding domestic development in Serbia may also bring snap elections there in spring. In addition, the larger regional situation will become more uncertain if the next EU summit in mid-October ends without Northern Macedonia and Albania getting a date to start EU accession talks. But that doesn't mean that Borrell should not be proactive from the start.

Thirdly, given Borrell's lack of previous Balkan experience, he would be well advised to delegate the Serbia-Kosovo portfolio to a special representative. Borrell should select a political and/or diplomatic heavyweight of the caliber of a former foreign or prime minister, who is backed by the Quint (the main diplomatic format in the Western Balkans), as well as accepted by both Belgrade and Pristina. As such, Borrell's representative could be also a partner for the newly appointed US special envoy,

Matt Palmer, who has said repeatedly that it is his priority to get both sides back to the negotiating table.

If a special EU representative is named, the HR/VP's tasks would be to provide strategic guidance and necessary resources, and to report back to the European Council – rather than getting bogged down in the details of actual negotiations.

Strategic Autonomy for the EU Starts at Home

The next HR/VP should remind EU leaders that the European Union's quest to build the capacity for strategic autonomy starts at home – as well as on its external borders. Despite a broad portfolio assigned to him, Josep Borrell will not have the luxury of choosing his own priorities. He will also have to partly share some of them with the new commissioner for neighborhood and enlargement. Yet, in order to enhance the EU's ability to project influence as a global power, Borrell will have to actively engage on two strategic challenges at the EU's eastern and southeastern borders: settling the conflict in eastern Ukraine and restarting the process of normalizing relations between Serbia and Kosovo. Both issues are likely to become his early tests as the EU's incoming HR/VP.

The paradox of the European Union's institutional set-up is, however, that – although Borrell, as HR/VP, will be formally mandated by the Foreign Affairs Council – he will need backing from the European Council on top foreign policy issues. Especially on the Donbass, he will be at the mercy of German and French leaders and their willingness to let the HR/VP and the EEAS that he leads into the game.

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